

Amendments to the Claims:

The following listing of claims will replace all prior versions, and listings, of claims in the application:

1. (Canceled)

2. (Currently Amended) A positive electrode active material for a nonaqueous electrolyte secondary battery having at least a lithium-transition metal composite oxide of a layer structure,

wherein:

the lithium-transition metal composite oxide is a lithium cobaltate particle,

an existence ratio of zirconium and magnesium is respectively 20% or more,

wherein the zirconium and magnesium are uniformly dispersed on a surface of the lithium cobaltate particle,

at least a part of the zirconium on said surface is present as lithium zirconate,

and

at least a part of the magnesium on said surface is present as magnesium-~~oxide~~

oxide, and

the existence ratio is a quotient of a total length of all portions of a first line that exceeds 4% of peak value divided by a length of a second line passing through a point that has a highest concentration of zirconium or magnesium, respectively, that is assigned a peak value of 100%, wherein a concentration of zirconium or magnesium, respectively, per unit area is obtained from a line analysis of the surface of the lithium-transition metal composite oxide by using an electron probe microanalyzer.

3-16. (Canceled)

17. (Previously Presented) A nonaqueous electrolyte secondary battery, comprising:

a strip positive electrode constituted by forming, on at least one side of a strip positive electrode current collector, a positive electrode active material layer employing the positive electrode active material for a nonaqueous electrolyte secondary battery according to claim 2;

a strip negative electrode constituted by forming, on at least one side of a strip negative electrode current collector, a negative electrode active material layer employing, as a negative electrode active material, a lithium metal, a lithium alloy, a carbon material capable of intercalating and deintercalating lithium ions or a compound capable of intercalating and deintercalating lithium ions; and

a strip separator;

in which:

the strip positive electrode and the strip negative electrode laminated with the strip separator between them are wound plural times to form a web of the strip positive electrode and the strip negative electrode with the strip separator intervening between them.

18. (Canceled)

19. (Previously Presented) The positive electrode active material for a nonaqueous electrolyte secondary battery according to claim 2, wherein the positive electrode active material is prepared from a starting material mixture obtained by adding an aqueous solution containing cobalt ions, zirconium ions, and magnesium ions to an aqueous alkaline solution to precipitate.

20. (Previously Presented) A nonaqueous electrolyte secondary battery, comprising:

a strip positive electrode constituted by forming, on at least one side of a strip positive electrode current collector, a positive electrode active material layer employing the

positive electrode active material for a nonaqueous electrolyte secondary battery according to claim 19;

a strip negative electrode constituted by forming, on at least one side of a strip negative electrode current collector, a negative electrode active material layer employing, as a negative electrode active material, a lithium metal, a lithium alloy, a carbon material capable of intercalating and deintercalating lithium ions or a compound capable of intercalating and deintercalating lithium ions; and

a strip separator;

in which:

the strip positive electrode and the strip negative electrode laminated with the strip separator between them are wound plural times to form a web of the strip positive electrode and the strip negative electrode with the strip separator intervening between them.

21. (New) The positive electrode active material for a nonaqueous electrolyte secondary battery according to claim 2, wherein the surface of the lithium cobaltate particle further comprises aluminum at an existence ratio of 20% or more and at least a part of the aluminum on said surface is present as aluminum oxide.

22. (New) The positive electrode active material for a nonaqueous electrolyte secondary battery according to claim 2, wherein the surface of the lithium cobaltate particle further comprises titanium at an existence ratio of 20% or more and at least a part of the titanium on said surface is present as lithium titanate.

23. (New) The positive electrode active material for a nonaqueous electrolyte secondary battery according to claim 2, wherein the surface of the lithium cobaltate particle further comprises a sulfate group.